GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES — AGRICULTURAL & CO-OPERATION DEPARTMENT - Allegation of corruption - Demand and acceptance of bribe against Sri Kusuma Siva Kumar, formerly Supervisor (FAC) Selection Grade Secretary, Agricultural Market Committee, Kothapeta, East Godavari Dist. - Trapped on 20.11.2013 - Sanction for Prosecution — Accorded — Reg.

AGRICULTURAL AND CO-OPERATION (VIG-II) DEPARTMENT

G.O.MS.No. 38 Dated:4th AUGUST,2015
Read

ORDER:

1. WHEREAS, Sri Kusuma Siva Kumar, worked as Supervisor (FAC) Selection Grade Secretary, Agricultural Market Committee, Kothapeta, East Godavari District from 01.11.2011 to 20.11.2013 and by virtue of the post held by him, he falls under the category of a Public Servant as defined under section 2 (c) of Prevention of Corruption Act, 1988.

2. AND WHEREAS, it is alleged that Sri Katakam Veereswara Rao is a resident of Gorripudi Village and a contractor and the proprietor of Veerabhadra Constructions. He was entrusted with the works relating to Agricultural Market Department, Kothapeta i.e. Removing of Iron Sheets and replacement of GCI Sheets and other miscellaneous works in the Market Yard, Kothapeta vide work order Lr.No.1167/2012/EE(AM)/VJA/AE-III/East Godavari District dt.31.08.2012 and he completed the same by the end of March, 2013. The Asst. Engineer noted the measurements in the M-Book, prepared the bill and forwarded the same to the Executive Engineer through the Dy. Executive Engineer, who passed the above bill and sent the same to supervisor Sri Kusuma Siva Kumar for payment. Since there is no budget the amount has not been paid. During the month of November, 2013, Sri Katakam Veereswara Rao came to know that the budget is allocated he met Sri Kusuma Siva Kumar on 13.11.2013 at his Office and requested for releasing the amount he informed him that he signed on the cheque. He also stated that the cheque should not be directly paid and the amount would be paid by way of obtaining DD in favour of Sri Katakam Veereswara Rao. Again on 16.11.2013 when Sri Katakam Veereswara Rao met Sri Kusuma Siva Kumar at his office and enquired about the DD, he informed that he obtained the DD for Rs.4,50,000/- and the remaining Rs.42,000/- would be given later. When Sri Katakam Veereswara Rao requested to hand over the DD, he demanded Rs.17,300/-, @ Rs.3,500/- per one lakh. Then Sri Katakam Veereswara Rao expressed his inability to pay the bribe amount and left the office. Again on 19.11.2013, when Sri Katakam Veereswara Rao met Sri Kusuma Siva Kumar at his Office and requested for DD, he reiterated his earlier demand. Having no option, Sri Katakam Veereswara Rao reluctantly agreed for the same. Then Sri K. Siva Kumar asked him to come on 20-11-2013 at 11 A.M. to his office and pay the bribe amount. As he was not willing to pay the bribe he reported the same to the DSP, ACB, Rajahmundry, who after observing procedural formalities, registered a case in Cr.No.10/RCT-RJY/2013, U/s.7 of P.C. Act, 1988 and made arrangements for laying the trap.

3. AND WHEREAS, after completion of pre trap proceedings the trap party left to the office of Sri Kusuma Siva Kumar on 20.11.2013, where he was successfully trapped when he further demanded and accepted the bribe amount of Rs.17,300/- from Sri Katakam Veereswara Rao. When the fingers of both the hands of Sri Kusuma Siva Kumar were subjected to the

chemical test separately, the test on his right hand fingers alone yielded positive. In pursuance of the information furnished by Sri Kusuma Siva Kumar, the tainted amount of Rs.17,300/- was recovered from a wedding invitation cover addressed to Sri Kusuma Siva Kumar by Sri P.Dhileep Kumar, Secretary, Agricultural Market Committee, Alamuru, East Godavari Dist., which was available on his table. When compared, the serial numbers of the recovered currency notes were found to tally with those of the serial nos. of the currency notes handed over by Sri Katakam Veereswara Rao during pre-trap proceedings. The chemical test conducted on the inner surface of wedding invitation cover, where the tainted amount was found, also yielded positive result. The DSP seized the tainted amount, wedding invitation cover, resultant solutions, relevant records and examined the witnesses. He also prepared rough sketch of the scene of offence.

4. AND WHEREAS, the investigation and evidence collected during the investigation disclose the above acts of Sri Kusuma Siva Kumar, worked as Supervisor (FAC) Selection Grade Secretary, Agricultural Market Committee, Kothapeta, East Godavari District constitute offences punishable under sections 7 & 13(1)(d) r/w 13(2) of P.C. Act, 1988.

5. AND WHEREAS, the Government of Andhra Pradesh being the competent authority to remove Sri Kusuma Siva Kumar, worked as Supervisor (FAC) Selection Grade Secretary, Agricultural Market Committee, Kothapeta, East Godavari District from service after fully and carefully examining the material (i.e. FIR, Mediator Reports, statement of witnesses, made up files, explanation of Sri Kusuma Siva Kumar, Final report of D.G., ACB etc.,) placed before them in respect of the said allegations and the circumstances of the case consider that Sri Kusuma Siva Kumar, worked as Supervisor (FAC) Selection Grade Secretary, Agricultural Market Committee, Kothapeta, East Godavari District should be prosecuted in a Court of Law.

6. NOW THEREFORE, in exercise of the powers conferred by Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988, the Government of A.P., hereby accord sanction for Prosecution of Sri Kusuma Siva Kumar, worked as Supervisor (FAC) Selection Grade Secretary, Agricultural Market Committee, Kothapeta, East Godavari District for the above said offences punishable under sections 7 &13(2) r/w 13(1)(d) of P.C. Act, 1988 and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(L. PREMACHANDRA REDDY)
SECRETARY TO GOVERNMENT (COOP. & MKTG.)

To
The Director General,
Anti Corruption Bureau, A.P., Hyderabad.